

# TRANSMITTAL FORM

Application Serial Number	09/328,120
Filing Date	June 8, 1999
First Named Inventor	Lovell
Group Art Unit	3761
Examiner Name	Not yet assigned
Attorney Docket No.	SLP-005 (7223/10)

## ENCLOSURES (check all that apply)

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Check Attached<br><input type="checkbox"/> Copy of Fee Transmittal Form<br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Form PTO-1449<br><input type="checkbox"/> Copies of IDS Citations<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts | <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)<br><input type="checkbox"/> Formal Drawing(s)<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> To Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)<br><input type="checkbox"/> Terminal Disclaimer<br><input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application<br><input checked="" type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> After Allowance Communication to Group | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> )<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8<br><input type="checkbox"/> Additional Enclosure(s) ( <i>please identify below</i> ) |
|--|--|--|

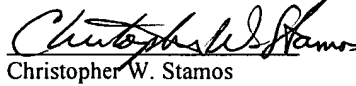
## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Date: August 27, 1999  
Reg. No. 35,370  
Tel. No.: (617) 248-7026  
Fax No.: (617) 248-7100

Respectfully submitted,

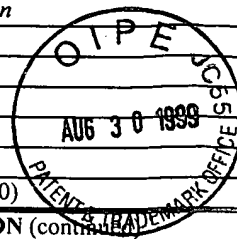
  
Christopher W. Stamos  
Agent for Applicant  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

# FEE TRANSMITTAL

Note: Effective October 1, 1997.  
Patent fees are subject to annual revision

Complete if Known

Application Serial Number 09/328,120  
Filing Date June 8, 1999  
First Named Inventor Lovell  
Group Art Unit 3761  
Examiner Name Not yet assigned  
Attorney Docket No. SLP-005 (7223/10)



## METHOD OF PAYMENT

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☒ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	65.00
50	25	Surcharge - late provisional filing fee or	
130	130	Non-English specification	
2,520	2,520	For filing a request for reexamination	
110	55	Extension for reply within first month	
380	190	Extension for reply within second month	
870	435	Extension for reply within third month	
1,360	680	Extension for reply within fourth month	
1,850	925	Extension for reply within fifth month	
300	150	Notice of Appeal	
300	150	Filing a brief in support of an appeal	
260	130	Request for oral hearing	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
240	240	Submission of Information Disclosure Statement (37 CFR 1.97(c))	
130	130	Submission of Information Disclosure Statement (37 CFR 1.97(d))	
760	380	Filing a submission after final rejection (37 CFR 1.129(a))	
760	380	For each additional invention to be examined (37 CFR 1.129(b))	
		Other (Specify)	

## FEE CALCULATION

### 1. FILING FEE

Large Entity Fee (\$)	Fee Description	Fee Paid
760	Utility filing fee	760.00
310	Design filing fee	
150	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	24	- 20 = 4	x \$ 18.00 =	72.00
Independent Claims	3	- 3 = 0	x \$ 78.00 =	0.00

☐ Multiple Dependent Claim(s), if any \$260.00 =

TOTAL: 832.00  
SMALL ENTITY DISCOUNT: 416.00  
SUBTOTAL (1) (\$) 416.00

### 2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	- =		x \$ 18.00 =	0.00
Indep.	- =		x \$ 78.00 =	0.00
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$260.00 =	0.00

TOTAL: (\$0.00)  
SMALL ENTITY DISCOUNT: (\$0.00)  
SUBTOTAL (2) (\$0.00)

SUBTOTAL (3) (\$) 65.00

SUBTOTAL (1) 416.00  
SUBTOTAL (2) 0.00  
SUBTOTAL (3) 65.00

TOTAL (\$) 481.00

## CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Date: August 27, 1999  
Reg. No.: 35,370  
Tel. No.: (617) 248-7026  
Fax No.: (617) 248-7100

Respectfully submitted,

*Christopher W. Stamos*  
Christopher W. Stamos  
Attorney for the Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110



*[Handwritten signature]* #3

PATENT  
Attorney Docket No. SLP-005  
(7223/10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Lovell et al.  
SERIAL NO.: 09/328,120 GROUP NO.: 3761  
FILING DATE: June 8, 1999 EXAMINER: Not yet assigned  
TITLE: Nose Mask

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this 27 day of August, 1999.

*[Handwritten signature of Thomas F. Hellenthal]*  
Thomas F. Hellenthal

Box MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Transmittal Form (1 page);  
Fee Transmittal (1 page);  
Check for \$481.00;  
Response to Notice to File Missing Parts of Application (1 page);  
Form PTO-1533 (1 page);  
Statement Claiming Small Entity Status (1 page);  
Decl. and Power of Attorney for Utility or Design Patent Appl. (3 pages); and  
Postcard.

DWILSON7223/10.847991-1

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Lovell *et al.*  
SERIAL NO.: 09/328,120 GROUP NO.: 3761  
FILING DATE: June 8, 1999 EXAMINER: Not yet assigned  
TITLE: Nose Mask

ATTN: BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**  
**OF APPLICATION**

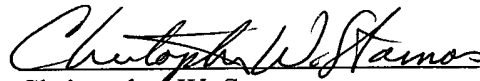
Sir:

In response to a "Notice to File Missing Parts of Application" dated July 2, 1999,  
Applicants submit a Declaration and a check for the filing fee and required surcharge.

Respectfully submitted,

Date: August 27, 1999  
Reg. No. 35,370

Tel. No.: (617) 248-7026  
Fax No.: (617) 248-7100

  
Christopher W. Stamos  
Attorney for Applicants  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/328,120	06/08/99	LOVELL	SLP-005-(722)

PATENT ADMINISTRATOR  
TESTA HURWITZ & THIBEAULT LLP  
HIGH STREET TOWER  
125 HIGH STREET  
BOSTON MA 02110



NOT ASSIGNED

3761

DATE MAILED:

07/02/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity is \$ 962

- ☒ 1. The statutory basic filing fee is:  
☒ missing.  
☐ insufficient.  
Applicant must submit \$ 700 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☒ 2. The following additional claims fees are due:  
\$ 72 for 4 total claims over 20.  
\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.  
\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:  
☒ is missing or unsigned.  
☐ does not cover the newly submitted items.  
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application was filed in a language other than English.  
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.101(b) unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- ☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

B. DAVE-NORT  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202